

CORRECTIONAL MEDICAL SERVICES

Site Human Resources



EMPLOYEE SUCCESS GUIDE

SITE HUMAN RESOURCES

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HUMAN RESOURCES
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Charter

Employee Acknowledgment

WELCOME....

TO THE CMS TEAM OF PROFESSIONALS!

I am happy to welcome you as a new employee of Correctional Medical Services (CMS). You have joined a team of professionals whose goal is to provide the best and most efficient service possible for the most reasonable price. In order to meet this goal, it is important for everyone to work together as a team.

We intend to offer you the opportunity for self-improvement and advancement. However, our goal will not be accomplished completely unless you are happy in your position and take pride in your work. Regardless of what function you may be performing, you should remember that your job is very vital and necessary in helping to meet our established goal. Please keep in mind that you are the one who gives the company its character and its personality, whether you are dealing with fellow employees, caring for a patient, talking with our client, or interacting with others.

You are joining CMS at an exciting period in our development and growth. As we continue to expand and serve the health care needs of an ever-increasing number of clients, we expect that career advancement opportunities for our employees will likewise continue to develop. CMS is proud of the growth record we have achieved and the contributions of each and every employee.

This manual is written in order to provide you with information concerning company policies, rules, employee benefits, and various relationships that exist. We will attempt to notify you as it becomes necessary for changes to be made to this manual. Please include new or revised policies in the appropriate section of this binder.

We welcome you as a new team member and are confident that your contributions will enhance the development of both CMS and yourself.

Richard H. Miles
President / Chief Operating Officer

IMPORTANT NOTICE

This manual represents the most current personnel policies of Correctional Medical Services, Inc. These policies apply to CMS Site employees only. Certain policies may not apply, in whole or part, to site employees covered by a collective bargaining agreement. (Refer to the appropriate bargaining agreement for applicable terms and conditions.) CMS retains the absolute right to modify or revise these policies based upon its professional and business concerns. These policies are only guidelines and information for employees and may or may not apply depending on individual circumstances. The *Employee Success Guide* is not an employment contract and should not be construed as such. It is understood that either party may end the employment relationship with or without notice, and with or without cause at any time. CMS remains free, in its sole discretion, to change or amend these policies, benefits, and contents at any time, with or without notice. No member of CMS management has the authority to enter into a contract of employment with any employee except as approved in writing by CMS' Division Presidents.

Throughout this manual, the term "Site Manager" is referenced. This applies to the highest CMS management member located within your facility, and the individual may have a title other than 'manager.' If in doubt, please contact the Human Resources Department for clarification.

SECTION
1

SITE HUMAN RESOURCES

EMPLOYMENT POLICIES

EQUAL EMPLOYMENT OPPORTUNITY

It is the policy of Correctional Medical Services (CMS) to provide equal opportunity and employment to all. CMS is fully committed to the challenge and opportunity to be an equal opportunity employer. We will make all decisions to recruit, select, train, transfer, promote, and release employees without regard to age, race, gender, sexual orientation, religion, national origin, Vietnam-era veteran or disabled veteran status. We will also ensure that equal employment opportunity, and reasonable accommodation, are provided for qualified individuals with a disability. In addition, we will ensure that our human resources policies and practices, such as wages, benefits, lay-offs, and training programs will be administered without regard to age, race, sex, sexual orientation, religion, national origin, disability, Vietnam-era veteran or disabled veteran status. We will provide reasonable accommodation to employees' religious beliefs.

HARASSMENT POLICIES

Correctional Medical Services (CMS) is committed to providing a work environment that is free of discrimination or harassment. In keeping with this commitment, no form of harassment, sexual or otherwise, will be tolerated in the work place. Any employee who feels that a supervisor's, manager's, other employee's or non-employee's actions, words or conduct constitutes harassment is required to report the incident immediately.

GENERAL HARASSMENT

CMS strives to provide a work environment that is professional and free from intimidation, hostility or other offenses that might interfere with work performance.

DEFINITION

Harassment of any sort, whether verbal, physical, or visual, that is directed toward a person's gender, race, religion, sexual orientation, national origin, physical or mental disability, or age will not be tolerated.

Workplace harassment can take many forms; it can be found in statements, gestures, writings, signs, cartoons, pictures, e-mail, jokes and pranks, physical contact and assaults, and acts or threats of violence or retribution. Harassment is not necessarily sexual in nature. It may also take the form of other activity including derogatory statements or conduct not directed to the targeted or offended individual but taking place within their presence.

MANAGEMENT & EMPLOYEE RESPONSIBILITY

CMS prohibits not only harassment but also any type of retaliation for making a harassment complaint, for assisting another to make a harassment complaint, or for participating in a harassment investigation. All CMS employees, particularly supervisors and managers, have a responsibility for keeping the work environment free of harassment or retaliation of any type. Any employee who becomes aware of an incident of harassment, whether by witnessing the incident or being told of it by others, must report the incident as soon as possible.

Internal complaint procedures have been established to ensure effective investigation and resolution of harassment complaints. In the event of an incident of harassment, employees should contact their supervisor, the next level of site or regional management, or the Human Resources Department in St. Louis at 1-800-325-4809. All managers and supervisors are required to take appropriate steps to disseminate this policy, to inform employees of the procedures for lodging a complaint, and to notify the Human Resources Department of any complaints they receive.

All reports of harassment will be handled with discretion and with due regard for privacy concerns. All reports will be investigated and disciplinary action, up to and including termination, will be taken in appropriate circumstances.

PROHIBITION ON
RETALIATORY
CONDUCT

Retaliation of any sort will not be allowed; no adverse employment action will be taken against an employee for making a good faith report of alleged harassment.

If an investigation of a complaint shows that the complaint/information was intentionally falsified, the individual(s) who provided the false information will be subject to disciplinary action, up to and including termination of employment.

SEXUAL
HARASSMENT

Any employee who feels that he or she has been subject to harassment because of his or her gender or sexual orientation must report the incident immediately to his or her supervisor. If this is not appropriate, (e.g. the incident involves the supervisor) or it is otherwise uncomfortable for the employee to report to the supervisor, then the incident must be reported either to the next level of management or directly to the Human Resources Department, 1-800-325-4809. Employees may also report a complaint via the confidential *Business Conduct Policy* Hotline, 1-800-325-3982, ext. 9360.

No supervisor shall threaten or insinuate, either explicitly or implicitly, that an employee's refusal to submit to sexual advances will adversely affect the employee's continued employment, compensation, performance evaluations, advancement, assigned duties or any other condition of employment.

Any conduct of a sexual nature which demeans the dignity of an employee through insulting or degrading remarks, behavior, actions, or gestures, or which creates an intimidating, hostile or offensive work environment, whether committed by supervisors, non-supervisory personnel, or non-employees, is strictly prohibited.

Any employee who receives a complaint involving sexual harassment must immediately contact the Human Resources Department. An investigation will be conducted, and if warranted, disciplinary action, including dismissal, will be taken.

DEFINITION

Sexual Harassment refers to behavior of a sexual or sexually suggestive nature, which may be reasonably perceived to be personally offensive and which interferes with morale and work effectiveness of another employee. Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitutes sexual harassment when:

1. Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment.
2. Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting that individual.
3. Such conduct has the purpose or effect of substantially interfering with an individual's professional performance or morale or creating an intimidating or offensive work environment.

Conduct that constitutes sexual harassment includes, but is not limited to the following:

1. It is sexual harassment for any manager to condition the award of any benefit on the granting of sexual favors or the establishment or continuance of a personal relationship, or to imply to such employee that the award of such a benefit is so conditioned.
2. It is sexual harassment for any employee to state or imply that a particular employee's deficiencies in performance are attributable in whole or in part to the sex of that person.
3. It is sexual harassment for any employee to state or imply that a particular employee's advances in employment have resulted from the granting of sexual favors or the establishment or continuance of a personal relationship.
4. It is sexual harassment for an employee to comment on specific characteristics associated with a particular sex whether or not comments are related to a specific individual.
5. It is sexual harassment to display in the workplace demeaning, insulting, intimidating, or sexual suggestive objects, pictures, or photographs.
6. It is sexual harassment to transmit, electronically, via interoffice mail or otherwise, demeaning, insulting, intimidating, or sexually suggestive written or recorded messages.
7. It is sexual harassment to make demeaning, insulting, intimidating, or sexually suggestive comments about an individual's personal appearance.
8. It is sexual harassment to make repeated requests for dates or social engagements when refused. NO MEANS NO.
9. It is sexual harassment for non-employees (i.e. client personnel or vendors) to engage in sexual or sexually suggestive behavior, including touching, ogling, making sexual comments, or soliciting sexual favors where such conduct interferes with work.

Whether or not certain other conduct constitutes sexual harassment may depend on how that conduct is viewed by the employee who is subjected to that conduct or witnesses the conduct. The employee who initiates or persists in the conduct assumes the risk and the possible penalties in the event that the person who is the object of the conduct views it or witnesses the conduct as offensive, even if it might not have been intended as offensive.

While it is not always easy to define precisely what harassment is, it certainly includes, but is not limited to; slurs, epithets, threats, derogatory comments and unwelcome jokes, teasing or sexual advances, and using degrading terms and obscene language or gestures.

CMS strongly discourages supervisors from dating or having an intimate relationship with anyone reporting to them, or over whom they have evaluation or wage recommendation authority. Where such a relationship exists, both the supervisor and employee are required to report it to the Human Resources Department.

**MANAGEMENT
RESPONSIBILITY**

All supervisors, managers, and department heads are required to take appropriate steps to disseminate and enforce this policy, inform employees of procedures for lodging complaints, and notify the Human Resources Department of any complaints they receive. Supervisors, managers, and department heads are required to stop this behavior from occurring should they see it in their area, even if no complaint is filed.

**PROHIBITION ON
RETALIATORY
CONDUCT**

CMS prohibits any form of retaliation against employees for bringing non-frivolous complaints or information about harassment. Retaliatory conduct is a basis for disciplinary action, up to and including termination of employment.

If an investigation of a complaint shows that the complaint/information was intentionally falsified, the individual(s) who provided the false information will be subject to disciplinary action, up to and including termination of employment.

EMPLOYMENT POLICIES

CMS employs individuals who are, in its judgment; best qualified to fill available positions.

All applicants for employment with CMS are required to complete an employment application and are subject to initial screening by the Human Resources Department. Final selection of employees rests with the Site Manager of the individual contract site, and in some instances, his or her immediate supervisor.

Because of the high-security environment in which we work, employees are required to submit to drug testing as a part of pre-employment screening, unless otherwise specified by state law. Employees may also be required to submit to drug testing as part of investigations that may occur during the course of employment. **Some locations may also require random drug testing and participation in a "Drug Free Workplace" program as a condition of employment.**

An individual will be employed after a bona fide offer of employment provided the following conditions have been met:

1. Verification of references, licenses, and qualifications.
2. Satisfactory security investigation/clearance.
3. Satisfactory completion of a drug test.

1.4

EMPLOYEE CLASSIFICATIONS**PROBATIONARY**

New employees are considered to be in probationary status until they complete three consecutive months of employment. During this period, the new employee is evaluating the organization and likewise, the supervisor is evaluating the new employee's fit for the position.

A probationary period may be extended up to 60 days, if the additional time is necessary to evaluate an employee's performance.

Transfers and promotions are not permitted during the probationary period except under unusual circumstances.

FULL-TIME

Full-time employees are those who are regularly scheduled to work 40 hours per week and whose status reflects a 1.0 FTE (*Full Time Equivalent*) on the SCD (*Staffing Control Document*). All full-time regular employees are eligible for the full range of benefits described in the Benefits section of this manual, subject to the stated waiting periods.

PART-TIME

Part-time employees are those who are regularly scheduled and work less than 40 hours per week. Employees in this classification should refer to the Benefits section to determine those employee benefits to which they may be entitled, since this will vary according to the employee's scheduled hours as reflected by the classification on the SCD.

**PER DIEM/
TEMPORARY**

Persons who are employed for "as needed/PRN" or to fill temporary vacancies will be classified as PRN/temporary employees and will be informed of this at the time of hire. Employees in this category are not eligible for benefits unless otherwise specifically provided hereafter or by law.

NOTE: All employees are notified at the time of hire as to their full-time, part-time, or per diem status. An employee's status is determined by the Staffing Control Document (SCD), and the hours actually worked are not determinative of his / her classification status. Employees will be notified of changes in classification status.

ORIENTATION

New employees will complete a CMS orientation program. Orientation will contain information to assist CMS employees in better understanding their roles and responsibilities as health care staff in a correctional setting. Orientation information is comprised of policies, procedures, and standards to which you will be held accountable while a CMS employee.

Orientation includes, but is not limited to:

New Employee Orientation Part I - General Modules
(recommended for completion within 10 working days of hire) – i.e., employment forms, benefits enrollment (if eligible), CMS Personnel Policies, facility/security information, timekeeping, safety, etc.

New Employee Orientation Part II - Clinical Modules
(recommended for completion within 90 working days of hire) – i.e., medication administration, intake health screening, sick call, and other job-specific areas as applicable to the position

Orientation may consist of classroom instruction, videos, reading materials, and hands-on demonstration. Most orientation modules have a checklist and exam, which must be completed and signed by each employee.

Each employee should take responsibility for thoroughly completing his/her orientation in a timely manner.

PERFORMANCE EVALUATIONS

All regular full and part-time employees are scheduled to receive a written performance evaluation on at least an annual basis, usually during the month of the anniversary of employment. Supervisors should complete an evaluation form prior to the evaluation meeting with the employee. All items on performance evaluation forms are to be discussed, and employees are encouraged to complete the section requesting employee's comments and participate in their own development. Employees and supervisors should work on performance plans jointly for the growth of the employee in meeting personal and company goals, objectives, and standards.

The Company considers evaluation forms confidential and will not disclose the evaluations unnecessarily to those who do not have a need to know. The Human Resources Department is available to assist employees and supervisors in the performance evaluation process.

1.7

**CAREER DEVELOPMENT &
PROMOTIONS/TRANSFERS/JOB POSTINGS****CAREER
DEVELOPMENT**

CMS prefers to fill available positions with qualified current employees who have prepared and developed themselves for advancement. Employees are responsible for informing their supervisor and the Human Resources Department of their career and location interests. Employees can always inquire, in confidence, to the Recruiting Department about positions available; however, when employees formally apply for a promotion or transfer, they must inform their supervisor of their intention.

**PROMOTIONS/
TRANSFERS**

Applications for available positions are made through the Human Resources Recruiting Department if the position is at another CMS contract location. If the position desired is at the employee's current location, he or she should apply directly to the Site Manager. Promotions or transfers are not normally approved while an employee is in probationary status, or is currently in or has received Corrective Action within the previous six (6) months. *Employees who are promoted or transferred must satisfy a three-month probationary period in their new position.* To avoid undue disruption, voluntary promotions and transfers are limited to no more than one (1) per twelve (12) months. Employees transferred or promoted will retain service credit for purposes of benefit eligibility.

JOB POSTINGS

It is CMS practice, whenever possible, to post job openings within the company. Employees may call the CMS Recruiting Department to inquire about opportunities in addition to viewing job postings on the CMS web site at www.cmsstl.com

CORRECTIVE ACTION

CMS believes that supervisors and employees have a mutual responsibility to correct performance or conduct detrimental to the efficient and harmonious delivery of our services.

CMS has established a policy of progressive corrective action, where practical, to facilitate improvement in conduct and performance. This assures that employees are fairly informed regarding problems and have an opportunity to correct deficiencies before more serious action is taken.

CMS reserves the prerogative to take progressive disciplinary action or to immediately terminate employment if appropriate under all circumstances.

Corrective Action may take place in the following ways:

VERBAL COUNSELING

The supervisor should conduct a confidential face-to-face counseling session with the employee at the earliest indication of a performance or behavior deficiency. The supervisor will clearly state where and how the current performance or behavior does not meet expectations and give examples of what desired performance or behavior should be. The employee and the supervisor are then expected to agree on corrective action to be taken immediately to resolve the performance or behavior deficiency. The supervisor will document the counseling and corrective action on the appropriate form to be filed in the employee's personnel file.

WRITTEN COUNSELING

The supervisor should prepare a written description of the performance or behavior deficiencies, which will be signed by both the employee and the supervisor and placed in the employee's personnel file. In some cases, this may be the first step in the corrective action process, depending upon the situation. The supervisor should conduct a confidential face-to-face counseling session with the employee using the Written Counseling Memorandum. This written documentation will include a statement of the performance or behavior deficiencies, reference to any previous verbal counselings as appropriate, expectations of desired performance or behavior, corrective action suggested to resolve the performance or behavior deficiencies, and the potential consequences if not corrected. The written counseling notice is given and reviewed in a face-to-face meeting with the supervisor and employee. One or more follow-up conversations regarding progress toward resolving the performance or behavior deficiencies may then occur.

FINAL WRITTEN WARNING

A final written counseling includes a written description of the behavior or performance deficiencies, which will be signed by both the employee and the supervisor. The Final Written Warning is prepared on the Final Written Warning Memorandum form and reviewed in a face-to-face meeting. This written

documentation will include a statement of the behavior or performance deficiencies, previous corrective action history as appropriate, and expectations necessary to correct the deficiencies. After the Final Written Warning Memorandum is signed by the employee and the supervisor, it is placed in the employee's site personnel file. An employee will normally receive a final written warning as the last step before recommendation for termination action is initiated.

RECOMMENDATION FOR TERMINATION

Recommendations for termination are reviewed with Regional Management and the Divisional Human Resources Manager. The supervisor prepares a written termination recommendation, and after approval is secured, meets confidentially with the employee to verbally communicate the termination decision.

Immediate Action or Termination

An employee may receive a final written warning or be recommended for termination due to serious misconduct. Examples of misconduct and reasons considered justification for termination and/or immediate action include, but are not limited to:

- ✦ Revealing confidential company or patient information
- ✦ Refusing or deliberately failing to carry out a reasonable instruction of your supervisor
- ✦ Intentional falsification of an employment application, time record (of self or others' manual or electronic), expense claim, travel expenses, or any other company, institutional, or patient record or document
- ✦ Failure to report to work without calling in
- ✦ Violation or disregard of an established security policy or practice of the correctional facility or security guidelines as outlined in the *Employee Success Guide*
- ✦ Professional or personal misconduct detrimental to the rights or safety of self, co-workers, institutional employees, or inmates
- ✦ Inappropriate and disruptive conduct which severely affects the morale and/or productivity of others
- ✦ Behavior indicating abuse of alcohol or controlled substances, either illegal or prescribed
- ✦ Violation of CMS' *Business Conduct Policy*
- ✦ Personal conduct of a verbally or physically abusive nature
- ✦ Expiration/revocation or inability to demonstrate required licensure/registration/certification
- ✦ Fraternization with an inmate or former inmate
- ✦ Sleeping while on duty
- ✦ Stealing company or institutional supplies or property
- ✦ Refusing to treat or provide care to a patient
- ✦ Abandoning a shift prior to proper replacement relief and coverage